

REGULAR CITY COUNCIL MEETING  
JUNE 13, 1994

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Dekker	Council Member

ABSENT

Robert Droubay	Council Member
Richard Waddingham	City Attorney

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Neil Forster	Public Works Director
Boyd Broderick	City Resident
Glen Swalberg	Millard County Tourism
Evan Maxfield	Chamber of Commerce

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The corrected minutes of a Regular City Council Meeting held February 28, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Alan Burraston MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The corrected minutes of a Special City Council Meeting held March 29, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Dekker MOVED that the minutes be approved as presented. The

motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The corrected minutes of a Regular City Council Meeting held April 11, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held May 9, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Dekker MOVED that the minutes be tabled to allow review by City Attorney Richard Waddingham. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Budget Work Session held June 6, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Alan Burraston MOVED that the accounts payable be approved for payment as listed in the amount of \$38,125.63. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### NEW BUSINESS

#### GEORGIA HARE, CENTRAL UTAH MENTAL HEALTH: UNIVERSITY OF UTAH SCHOOL ON ALCOHOLISM AND DRUGS

Georgia Hare was not in attendance; however, Mayor Dafoe explained that Georgia Hare, Central Utah Mental Health, had contacted him prior to the meeting and requested that Delta City sponsor one

scholarship for an individual to attend the University of Utah School On Alcoholism and Other Drug Dependencies. Mayor Dafoe approved Mrs. Hare's request at that time and requested the City Council's ratification of his decision.

Council Member Gayle Bunker MOVED that Delta City sponsor one scholarship in the amount of approximately \$430 for the School On Alcoholism and Other Drug Dependencies. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

BOYD BRODERICK: REQUEST FOR IRRIGATION WATER

Mayor Dafoe asked Boyd Broderick to address the City Council regarding a request for irrigation water.

Boyd Broderick said that he is cleaning up Tarvel Broderick's property and plans to plant grass and trees and requested that the ditch that used to service that street be uncovered to allow delivery of irrigation water to his property.

Discussion was held regarding the route of delivery of irrigation water to Mr. Broderick's property. Public Works Director Neil Forster explained that a culvert would need to be installed.

Mr. Broderick said that he owns water shares and that he would stand the expense of routing water to his property.

Following discussion, Council Member Robert Dekker MOVED that, if Mr. Broderick is willing to stand the expenses incurred in delivering water to his property, then together with Public Works Director Neil Forster they can determine the best route feasible. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

GLEN SWALBERG, MILLARD COUNTY TOURISM: BEAUTIFICATION/CHAMBER OF COMMERCE

Mayor Dafoe asked Glen Swalberg, Millard County Tourism/Chamber of Commerce, to address the City Council regarding Beautification.

Glen Swalberg explained that to date Delta City is one of two choices as host of the Utah State R.V. Association's convention that is to be held in June 1995. He said that an inspection of the City was conducted approximately three weeks ago by the convention committee and they pointed out the following areas of concern within Delta City:

The corner lot where the Circle K underground fuel tanks were removed

The Tolley building located on the corner of Center Street and Main Street

The Kennard Riding property located on 400 West and Main Street

LeGrande Law's property

Mr. Swalberg said that the convention would greatly benefit Delta City and asked for the City Council's support in beautifying Delta City's Main Street and clean up the areas of concern. Mayor Dafoe and the City Council said that they would do what they could to support Mr. Swalberg and the convention.

COUNCIL MEMBER GAYLE BUNKER: COVERED GARBAGE REQUIREMENT

Mayor Dafoe asked Council Member Gayle Bunker to discuss a covered garbage requirement.

Councilman Gayle Bunker said that this issue has been discussed in previous meetings and he has talked with Millard County Administrator Robyn Pearson requested Millard County's support in posting and enforcing Delta City's covered garbage ordinance along the road to the dump site.

Following discussion, Council Member Gayle Bunker MOVED to place "No Littering" signs along the road to the dump site and begin enforcement of Delta City's covered garbage ordinance. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: PROPOSED LANGUAGE CHANGE TO DELTA CITY SUBDIVISION ORDINANCE, SECTION 1.2.23

Mayor Dafoe asked Council Member Gayle Bunker to discuss a proposed language change to the Delta City Subdivision Ordinance, Section 1.2.23.

Council Member Gayle Bunker explained that the Planning Commission has reviewed the Subdivision Ordinance along with the "Short Plat" Subdivision Ordinance (Ord. No. 85-91), and a Public Hearing has been held regarding a proposed language change to the Subdivision Ordinance. The Planning Commission's proposed language change is as follows:

"Subdivision" means any land that is divided, resubdivided or proposed to be divided into

two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms and conditions.

Mr. Bunker said that, after further research, the Planning Commission decided to delete from their original proposal that which states:

"Subdivision does not include any division of land where every parcel or tract of land within the divided parcel exceeds five acres.

Following discussion, Council Member Gayle Bunker MOVED to instruct Attorney Richard Waddingham to prepare an amendment to the Subdivision Ordinance that would include the above mentioned language change. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: ACCOUNTS CONSIDERED UNCOLLECTIBLE

Mayor Dafoe asked Public Works Director Neil Forster to discuss uncollectible utility accounts.

Public Works Director Neil Forster presented a list of accounts to be considered uncollectible as of May 26, 1994, in the amount of \$745.99.

Mr. Forster said that the individuals on the list have moved from the City and left no forwarding address and cannot be contacted. He then requested that they be considered as uncollectible and be written off the books.

Following discussion, Council Member Gayle Bunker MOVED that the uncollectible accounts listed in the amount of \$745.99 be written off the books with the condition that Robert Law's account (Husky Station) in the amount of \$150.82 and Dave Morrison's account in the amount of \$146.44 are pursued with liens against their property for payment. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: PAY REQUEST FOR K & P  
PLUMBING AND SUNRISE ENGINEERING

Mayor Dafoe asked Public Works Director Neil Forster to discuss a pay request for K & P Plumbing and Sunrise Engineering.

Public Works Director Neil Forster said that the Delta City Lift Station B Improvement Project has been completed. He then presented a Pay Request to K & P Plumbing for work completed from April 1, 1994, to May 31, 1994 in the amount of \$45,333.81. This pay request includes a Change Order in the amount of \$4,564.92.

Mr. Forster also presented a Pay Request from Sunrise Engineering for work completed from April 1, 1994, to May 31, 1994, in the amount of \$3,476.

Following brief discussion, Council Member Robert Dekker MOVED to approve a Change Order in the amount of \$4,564.92 for K & P Plumbing and to approve payment to K & P Plumbing in the amount of \$45,333.81 and to Sunrise Engineering in the amount of \$3,476 for work completed on the Delta City Lift Station B Improvement Project. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: RECOMMENDATION FROM PLANNING  
COMMISSION FOR PROPOSED ZONE CHANGE REQUESTED BY RUSSELL GREATHOUSE  
ON PROPERTY LOCATED NORTH OF DELTA ALONG HIGHWAY 6 FROM  
AGRICULTURAL (A1) TO RURAL RESIDENTIAL (RR)

Mayor Dafoe asked Council Member Gayle Bunker to present a recommendation from the Planning Commission regarding a proposed zone change on property located north of Delta along Highway 6 from Agricultural (A1) to Rural Residential (RR).

Council Member Gayle Bunker presented the following recommendation from the Planning Commission:

"In a regular Planning Commission Meeting held May 11, 1994, an application for a zone change submitted by Russell Greathouse was discussed. Mr. Greathouse has requested that a zone change from Agricultural (A1) to Rural Residential (RR) be approved on property located north of Delta along Highway 6.

Mr. Greathouse has requested this zone change in order to develop his property and sell large lots that would allow for animals.

The Planning Commission has discussed this zone change request in detail and has

considered Zoning Officer Neil Forster's recommendation for approval. Therefore, the Planning Commission recommends that the zone change on the above mentioned property be approved."

Zoning Officer Neil Forster said that he will meet with Russell Greathouse to obtain a legal description of the proposed zone change area.

Following discussion, Council Member Robert Dekker MOVED to schedule a Public Hearing for Monday, July 11, 1994, at 6:45 p.m. for the purpose of receiving public comment regarding a proposed zone change on the above mentioned property. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: IPP BYPASS ROAD

Mayor Dafoe asked Attorney Richard Waddingham to discuss the IPP Bypass Road.

Attorney Richard Waddingham presented a Quitclaim Deed from the City of Delta to the Utah Department of Transportation (UDOT) for the purpose of constructing a road to haul coal to the Intermountain Power Project. Mr. Waddingham explained that if the Bypass Road is not constructed within five years from the date of the Quitclaim Deed, or if the road ceases to be used for transportation purposes, the title to the parcel of land held by UDOT will automatically revert to Delta City.

Following brief discussion, Council Member Gayle Bunker MOVED to authorize Mayor Dafoe to sign a Quitclaim Deed deeding a parcel of land in fee for a highway known as Project No. 0605 to UDOT. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Absent


MAYOR DON DAFOE: AMENDED BUDGET FOR FY 1993-1994


Mayor Dafoe stated that the Amended Budget for Fiscal Year 1993-1994 and the Tentative Budget for Fiscal Year 1994-1995 are on file in the Office of the City Recorder and can be reviewed Monday through Friday from 8:00 a.m. to 5:00 p.m.

OTHER BUSINESS

A Special City Council Meeting was scheduled for Monday, June 20, 1994, at 5:00 p.m. wherein a sewer rate increase will be considered.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 9:00 p.m.

  
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DON DAFOE, Mayor

  
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DOROTHY JEFFERY  
Delta City Recorder

MINUTES APPROVED: SCCM 7-26-94